

February 27, 2013

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St. SW.
Washington, DC 20554

Re: *Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and other Advanced Services in the 2150-2162 and 2500-2690 MHz bands – WT Docket No. 03-66 - - ORAL EX PARTE PRESENTATION*

Dear Ms. Dortch

We are writing pursuant to Section 1.1206(b)(2) of the Commission's Rules to report that on February 25, 2013, Elizabeth Bowles, President and Chairman of Aristotle Inc.; Steven Meinhardt, president of Casair, Inc.; Nathan Stooke, president of Wisper ISP, Inc.; and Robert Finch, president of Select Spectrum LLC, met by telephone with Blaise Scinto, John Schauble and Nancy Zaczek of the Wireless Telecommunications Bureau's Broadband Division to explore possible approaches to the licensing of currently unlicensed Educational Broadband Service ("EBS") spectrum.

We described how Aristotle, Wisper, Casair and other similar firms were in the business of providing high-speed fixed wireless broadband Internet access and related services to residential and business customers. Broadband service from local cable television or telephone companies is often not available in the areas service by these companies, and in such cases they are often the only choice that residents and businesses in their service areas have for terrestrial fixed Internet access. Each of these companies also provides high-quality jobs in portions of the country where employment opportunities are limited. Aristotle, Casair and Wisper have built their businesses over multiple years using unlicensed and lightly licensed spectrum in a variety of bands including 900 MHz, 2.4 GHz, 3.65 GHz and 5.8 GHz. We mentioned the advantages of utilizing licensed spectrum alongside unlicensed spectrum and that within the past two years each of our companies had leased excess capacity of EBS spectrum from various educational institutions in our operational areas. We indicated that EBS licenses provide significant advantages including longer range from tower to customer and the ability to serve customers in areas with challenging topography and trees that might prevent service using unlicensed or lightly licensed spectrum.

Ms. Bowles mentioned that while her company was relatively new to the world of EBS leasing, Aristotle had found areas in Arkansas where there are no EBS licenses available and that FCC action to expand existing licenses or make new EBS spectrum licenses available in those areas could enable Aristotle to expand services.

Mr. Stooke indicated that the Commission should consider allowing new applications for EBS licenses in areas where prior license holders had turned in or lost their licenses for reasons including the failure to provide substantial service.

Mr. Meinhardt mentioned that Casair has over 4000 potential households that have indicated to the company that they would buy service, but that Casair has placed some of them on a waiting list due mainly to limited spectrum availability. He also indicated that in Casair's primary area of service there is only one EBS license granted for the G group and that the A, B, C and D groups are not licensed in his primary area of service. He also indicated that for much of the area from Central Michigan northward there are no EBS licenses granted at all.

Mr. Finch indicated that he believes that many of the regional Wireless Internet Service Provider ("WISP") companies are anxious to acquire rights to use licensed spectrum and would be willing to support any reasonable proposal that represents a consensus of the EBS license holders and commercial operators that frequently lease excess capacity from EBS licensees. The WISP meeting participants universally agreed that it was important for the FCC to move as expeditiously as possible to develop a ruling that would (1) fairly allocate small areas adjacent to existing EBS licensees by expansion of existing licenses, and (2) allow qualified educational organizations to apply for new licenses in other EBS white space areas that are large enough to accommodate one or more new licenses of practical size.

Respectfully submitted,

/s/ Elizabeth Bowles

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cc: Blaise A. Scinto
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